

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

K.J., as NEXT
FRIEND for K.D., a minor

Plaintiff,

v.

Case No. 5:18-cv-6113

ST. JOSEPH SCHOOL
DISTRICT

AND

Kim Siela, individually and as
Principal for St. Joseph
School District

AND

Michael Otto, individually and as Principal
for St. Joseph School District

Defendants.

NOTICE OF REMOVAL

Defendants St. Joseph School District (“District”) and Kim Siela (“Siela”) (collectively, “Defendants”), by and through counsel, hereby request that this civil action be removed from the Circuit Court of Buchanan County, Missouri to the United States District Court for the Western District of Missouri, for the reasons set forth herein.

1. The above-entitled action is a civil suit for damages and arises under Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681, et seq. (“Title IX”), in that Plaintiff alleges that Defendants District and Seila discriminated and harassed Plaintiff on the basis of his

disability, and/or were deliberately indifferent to the same, and thereby denied Plaintiff full and equal use of the District's educational benefits or opportunities, in violation of Title IX.

2. This Court therefore has original federal question jurisdiction over the above-entitled action pursuant to 28 U.S.C. § 1331, and supplemental jurisdiction of all non-federal claims pursuant to 28 U.S.C. § 1367(a).

3. This Notice of Removal is being filed within thirty (30) days of when this action was commenced.

4. A copy of all process, pleadings, and orders served on Defendants are attached to this Notice of Removal as Exhibit A.

5. Contemporaneous with this Notice of Removal, Defendants give notice hereof to Plaintiff and her counsel, along with the Clerk of the Circuit Court of Buchanan County, Missouri, in accordance with 28 U.S.C. § 1446(d), a copy of which is attached as Exhibit B.

Respectfully submitted,

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I certify that the foregoing was filed and served upon the below persons through the Court's electronic filing and service system, on July 20, 2018:

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ATTORNEY FOR PLAINTIFFS

/s/ J. Drew Marriott

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